

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States Courts
Southern District of Texas
FILED

FEB 26 2020

David J. Bradley, Clerk of Court

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

)

Case No.

H20-0407M

Express Mail parcel EJ249100322US, originating in
Denver, CO Addressed to: Waseem B, 16850 Saturn
Lane, unit 100, Houston, TX 77058

)

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Express Mail parcel EJ249100322US, originating New Oxford, PA Addressed to: Waseem B, 16850 Saturn Lane, unit 100, Houston, TX 77058. Return address: Daniel Smalls, 111 Hanover St, Gettysburg, PA 17325 being held by USPIS

located in the Southern District of Texas, there is now concealed (identify the person or describe the property to be seized):

Contraband, controlled substances, narcotics, narcotics paraphernalia and/or drug proceeds.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

evidence of a crime;
 contraband, fruits of crime, or other items illegally possessed;
 property designed for use, intended for use, or used in committing a crime;
 a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

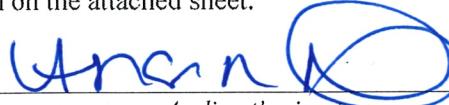
Code Section
21 U.S.C 841(a)(1)

Offense Description

The application is based on these facts:

The facts to support a finding of probable cause are contained in the attached Affidavit and made a part hereof.

Continued on the attached sheet.
 Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested
under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

Angela M. Daniel, U.S. Postal Inspector
Printed name and title

Sworn to before me and signed in my presence.

Date: 2-26-20

City and state: Houston, TX


Judge's signature
Nancy K. Johnson, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In the Matter of the Search of:

§
§
§
§
§

United States Postal Service Express Mail § NO. _____
Parcel EJ249100322US §
§

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Angela M. Daniel, being duly sworn, state the following:

01. I am employed as a United States Postal Inspector and I am currently assigned to the Houston Division Narcotics Team. I have been employed by the United States Postal Inspection Service for the past seven (7) years. I have received training by the US Postal Inspection Service (USPIS) in the investigation of controlled substances or narcotics proceeds being transported through parcel delivery services. .

02. I also rely upon the training and experience of other members of the USPIS Houston Division Narcotics Team. The team is comprised of six (6) members, five (5) of whom have been assigned to narcotics investigations for at least five (5) years. During that time, the USPIS Houston Division Narcotics Team has intercepted in excess of five thousand (5,000) parcels which were found to have contained controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances.

03. Experience and drug trafficking intelligence information gathered by the USPIS have demonstrated that the U. S. Postal Service Express Mail and Priority Mail are frequently utilized by drug traffickers for shipping controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. Use of Express Mail and Priority Mail are favored because of the speed (Express Mail - overnight; Priority mail - two day delivery), reliability, free telephone and Internet package tracking services, as well as the perceived minimal chance of detection. Express Mail and Priority Mail were originally intended for urgent, business to business, correspondence. Intelligence from prior packages, which were found to contain controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, has indicated that these parcels are usually addressed from an individual to an individual. Express Mail and Priority Mail are seldom used for individual to individual correspondence.

04. In an effort to combat the flow of controlled substances through the overnight delivery services, interdiction programs have been established in cities throughout the United States by the USPIS. These cities have been identified as known 'sources' of controlled substances. The USPIS conducts an ongoing analysis of prior packages mailed through overnight delivery services, which were found to contain controlled substances or proceeds/payments of controlled substance sales. The analysis of prior packages, which were found to contain controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, indicated that these parcels are usually sent from an individual to an individual. In the few cases when overnight delivery packages containing controlled substances or the proceeds of controlled substance sales or moneys furnished or

intended to be furnished in exchange for controlled substances, have displayed a business or company name, it has usually proven to be fictitious or used without the owner's knowledge and consent. Additionally, this analysis has established a series of characteristics which, when found in combination of two (2) or more, have shown a high probability that the package will contain a controlled substance or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. Information collected by the USPIS has demonstrated that the presence of these characteristics is significant for delivery services, to include U. S. Postal Service Express Mail, Federal Express, and United Parcel Service. This profile includes, but is not limited to, the following characteristics: package mailed from or addressed to a narcotic source city; package has a fictitious return address; package addressee name is unknown at the destination address; package sender name is unknown at the return address; package has address information which is handwritten; package is mailed to or from a Commercial Mail Receiving Agency (CMRA); package is addressed from an individual to an individual; phone numbers listed on the package are not related to the listed parties or are not in service; packages are wrapped and/or heavily taped; frequency of the mailings is inconsistent with normal use absent a business relationship; and the ZIP Code from where the package is mailed is different than the ZIP Code used in the return address.

05. The USPIS analysis of prior drug packages mailed through overnight delivery services has consistently shown that the identification of 'source' cities has proven to be one of several reliable characteristics used in identifying suspect parcels. This analysis has also demonstrated that drug parcels originating from states other than source locations have been consistently found to contain 'designer' drugs, such as Ecstasy, GBL, GHB, Anabolic Steroids, and other similar controlled substances. Generally such 'designer drugs' are not organic and are the product of a laboratory process.

06. This affidavit is made in support of an application for a Federal search warrant to search United States Postal Service (USPS) Express Mail parcel EJ249100322US (the "Subject Parcel"), described more particularly as follows:

Addressee:

Waseem B

16850 Saturn Lane, unit 100

Houston, TX 77058

Sender:

Daniel Smalls

111 Hanover St

Gettysburg, PA 17325

Size/Dimensions:

Priority Flat Rate Box

Approximately 12" x 12" x 5.5"

Postmarked:

February 24, 2020

Postmark City:

New Oxford, PA 17350

Postage Amount:

\$52.95

Weight:

2 lbs. 10 oz.

07. On February 25, 2020, the United States Postal Inspectors, conducted routine profiling activities at the USPS North Houston Processing and Distribution Center (P&DC), located in Houston, TX. Postal Inspectors recovered the suspect parcel Addressed to: Waseem B, 16850 Saturn Lane, unit 100, Houston, TX 77058; return address: Daniel Smalls, 111 Hanover St, Gettysburg, PA 17325. During visual inspection, the subject parcel fit the characteristics of known parcels which in the past have contained illegal substances and/or proceeds.

08. On February 25, 2020, your Affiant reviewed available USPS records and determined the listed sender names/addresses were not valid. Your Affiant ran the sender and addressee information through known law enforcement databases. According to the law enforcement databases, the return address of: 111 Hanover St, Gettysburg, PA 17325 is a legitimate address, but an individual by the name "Daniel Smalls" is not known to reside there. Your Affiant ran the addressee information through the same law enforcement databases. According to the databases, the address of 16850 Saturn Lane, unit 100, Houston, TX 77058 is a legitimate address, but it is an office space that specializes in short term office space rentals. Your Affiant knows based upon training and experience that drug traffickers often utilize a fictitious return address and/or unknown sender name in an effort to conceal their identity and avoid detection by law enforcement. Further, your Affiant knows based on training and experience that the use of a fictitious return address and/or unknown sender name was a characteristic which was indicative of packages which, in the past, have contained controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances.

09. On February 25, 2020, your Affiant attempted a knock and talk at the "Boardroom Suite" located at 16850 Saturn Lane, unit 100, Houston, TX 77058. According to the business, they do have a tenant by the name of "Waseem B" who is the owner of "WB Clothing" and rents space. The owner was not at his space and did not answer or return calls to the phone number on file with the Boardroom Suite.

10. On February 26, 2020, Your Affiant obtained the assistance of C. Reitz, Canine Officer with the Houston Police Department (HPD) and certified handler of canine "Bo". Officer Reitz and "Bo" are certified as a team in the detection of controlled substances. Officer Reitz and "Bo" received their certification through the National Narcotic Detector Dog Association (NNDDA). "Bo" has numerous hours of training in the detection of controlled substances such as Marijuana, Cocaine, Methamphetamine, and Heroin. "Bo" has successfully alerted on concealed controlled substances in numerous prior cases, which has led to the arrest of numerous suspects for drug law violations. "Bo" was certified on April 11, 2019. "Bo" was allowed to examine four (4) boxes which had been placed on the floor in an area known not to be contaminated with the odor of controlled substances. Three of the boxes were "dummy" boxes (boxes containing no controlled substances) and the fourth one was the Subject Parcel. "Bo" conducted an exterior examination of all four (4) packages. Officer Reitz advised me that canine "Bo" had a positive alert to the presence of a controlled substance scent inside the subject parcel.

10. Based on the facts set forth above, there is probable cause to believe that the Subject Parcel contains one or more controlled substances, drug paraphernalia, proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, and material relating to the distribution of same. In the past, all of the above factors

have been indicative of packages which contained illegal controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. The package is currently in the custody of your Affiant. Affiant, therefore, seeks the issuance of a search warrant for the seizure of this parcel, and the contents contained therein and any other evidence, fruits of crime, and instrumentalities, in violation of Title 21, United States Code, Sections 841 (a) (1), 853 (f), and 881 (a)(6) and (b).



Angela M. Daniel
U. S. Postal Inspector

Subscribed and sworn to before me at Houston, Texas, on this 26th day of February 2020 and I find probable cause.



Nancy K. Johnson
UNITED STATES MAGISTRATE JUDGE